

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD ROY SCOTT,

Plaintiff,

v.

WALTER WEINBERG *et al.*,

Defendants.

Case No. C06-5172FDB

ORDER STAYING ACTION
AND DIRECTING THE PARTIES
TO FILE NO FURTHER
MOTIONS OR PLEADINGS
WITHOUT LEAVE OF COURT

This Civil Rights action, filed pursuant to 42 §1983, has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Plaintiff has been given leave to proceed *in forma pauperis*. On August 3rd, 2006 the court entered an order dealing with a number of motions filed by Mr. Scott. (Dkt # 38).

In the August 3rd, 2006 order the court directed defendants to respond to Mr. Scott's allegation that his computer and associated legal materials have been taken from him. The order directed the defendants to "address why Mr. Scott's computer was taken, why Mr. Scott is on paper restrictions and room restrictions, and how many free copies Mr. Scott receives in a month. The court requires supporting documentation in the response. By way of example, if defendants contend plaintiff sent a threatening letter the court needs a copy of the letter on file in this case. If defendants contend plaintiff misused his computer documents showing his misuse need to be placed in the record." (Dkt. # 38). Defendants have until September 29th, 2006 to respond." (Dkt. # 38).

1 Since the filing of that order Mr. Scott has filed two appeals from the August 3rd order, both have
2 been denied. (Dkt. # 39 and 40(denied by Dkt. # 51 and 52)). He has also filed a motion to add a party,
3 (Dkt. # 43), a motion for injunctive relief, (Dkt. # 47), a “motion on discovery”, (Dkt. # 48), a motion for
4 summary judgment, (Dkt. # 58), a motion for reconsideration of the order denying consolidation of his
5 cases,(Dkt. # 55), a motion to conduct additional discovery, (Dkt # 56), and a motion asking for a finding
6 of perjury, (Dkt. # 57).

7 No response to any motion will be filed at this time. This action is **STAYED**.

8 This case will not progress further until the issue of the taking of Mr. Scotts computer and other
9 litigation materials has been dealt with. To allow the case to progress any further is prejudicial to both
10 parties. By way of example, Mr. Scott has asked to add a party, Dr. Sziebert. (Dkt. # 43). Defendants
11 oppose the motion and note that an answer has been filed. (Dkt. # 46) Defendants also oppose the motion
12 because the complaint fails to state a claim against Dr. Sziebert. (Dkt. # 46). Mr Scott responds by
13 alleging Dr. Sziebert gave a deposition in which the Doctor admits in depth involvement, names names,
14 and makes other admissions. (Dkt. # 49). Mr. Scott claims the copy of the deposition is on a computer
15 disk and was taken with his computer. (Dkt. # 49).

16 Defendants are directed to file their response why the computer was taken and why Mr. Scott is on
17 restrictions by September 22nd, as outlined in the courts August 3rd, 2006 order. (Dkt. # 38). If additional
18 time is now needed a motion for an extension of time may be filed. No other motion or pleading will be
19 considered at this time. Mr. Scott has leave to reply to defendants response on or before September 29th,
20 2006.

21 The parties may rest assured the court will consider each motion that has been filed and will give
22 each party time to respond or reply if appropriate. The court will not allow this action to spiral out of
23 control.

24 The clerk is directed to send a copy of this order to plaintiff and counsel for defendants.

25
26 DATED this 14th day of September, 2006.

27 /s/ J. Kelley Arnold
28 J. Kelley Arnold
United States Magistrate Judge